PART IV

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Section 1-C

NOTIFICATIONS, RULES, ORDERS, Etc., ISSUED UNDER CENTRAL ACTS AND ORDINANCES WHICH APPLY TO MYSORE.

NOTIFICATION.

(HOME DEPARTMENT).

No. H. A. 9824—Pol. 185-50-9, Bangalore, dated the 19th January 1951.

Ordered that the following Notifications Nos. S.R.O. 17 (20-16-49-F) and S.R.O. 18 (20-16-49-F), dated the 8th January 1951, issued by the Government of India, Ministry of Information and Broadcasting and which were published in the *Gazette of India*, Extraordinary, dated 8th January 1951, be republished in the *Mysore Gazette*, for general information.

By Order of His Highness the Maharaja,

K. SRINIVASAN,

Chief Secretary to Government.

MINISTRY OF INFORMATION AND BROADCASTING

NOTIFICATIONS.

New Delhi, the 8th January 1951.

S.R.O. 17.—In exercise of the powers conferred by sub-section (2) of Section 1 of the Cinematograph (Second Amendment) Act, 1949 (LXII of 1949), the Central Government hereby appoints the 15th January 1951 as the date on which the said Act shall come into force.

(No. 20/16/49-F).

S.R.O. 18.—In exercise of the powers conferred by sub-sections (1) and (2) of Section 9 of the Cinematograph Act, 1918 (II of 1918), the Central Government hereby makes the following rules :—

1. *Short title and Commencement.*—(1) These rules may be called the Cinematograph (Censorship) Rules, 1951.

(2) These rules shall come into force on the 15th day of January 1951.

2. *Definitions.*—In these rules, unless the context otherwise, requires,

(i) "Act" means the Cinematograph Act, 1918;

(ii) "Advisory Panel" means the Advisory Panel of the Board at Bombay, Calcutta or Madras as the case may be;

(iii) "Applicant" means a person applying for a film to be certified for public exhibition;

(iv) "Bengal film" means a film imported from abroad into, or produced in, the State of West Bengal;

(v) "Board" means the Central Board of Film Censors constituted under rule 3;

(vi) "Bombay film" means any film other than a Bengal or a Madras film;

(vii) "Chairman" means the Chairman of the Board;

(viii) "Madras film" means a film imported from abroad into, or produced in, the State of Madras;

(ix) "Regional Officer" and "Assistant Regional Officer" respectively, means the Regional or Assistant Regional Officer of the Board at Bombay, Calcutta or Madras, as the case may be;

(x) "Schedule" means the schedule to these rules.

3. *Constitution of the Board*—

(1) The Authority to be constituted under sub-section (1) of Section 6 of the Act, shall be a Board to be known as "the Central Board of Film Censors";

(2) The Board shall consist of seven members who shall be appointed by the Central Government;

(3) The Central Government shall appoint a Chairman of the Board from among its members.

4. *Term of Office*—

(1) A member of the Board, other than the Chairman, shall, subject to the provisions of sub-rule (2), hold office for a term of three years;

(2) From among the members (other than the Chairman) first appointed, two shall retire from office at the and of one year and two of the remaining four at the end of two years, the members so to retire being determined by lot;

(3) A retiring member or a menber whose term of office has expired by efflux of time shall be eligible for re-appointment.

5. The Central Government may for a cause sufficient in its opinion remove any member of the Board before the expiration of the period of his office.

6. *Casual Vacancy.*—A casual vacancy caused in the Board by resignation, death or removal of a member, or otherwise, shall be filled by the appointment of another member who shall hold office for the remainder of the term of the member in whose place he is appointed.

7. *Headquarters.*—Unless otherwise directed by the Central Government, the headquarters of the Board shall be at Bombay.

8. *Temporary absence of Chairman.*—Notwithstanding anything contained in these rules, during the absence of the Chairman from the City of Bombay or whenever the Chairman is temporarily unable to exercise his powers or perform his

duties under these rules owing to illness or any other cause, the Central Government may appoint another person to be the Chairman:

Provided that where no such appointment is made the Regional Officer at Bombay shall in addition to his other duties exercise the powers and perform the duties of the Chairman, but he shall not be entitled to preside at meetings of the Board.

9. *Constitution of Advisory Panels.*—

(1) The Board shall, with the previous approval of the Central Government constitute an Advisory Panel at each of the towns of Bombay, Calcutta and Madras.

(2) Each such Advisory Panel shall consist of such number of members as the Board may, with the previous approval of the Central Government, from time to time, determine.

10. *Term of Office of Members of Advisory Panels.*—A member of an Advisory Panel shall hold office for one year from the date of his appointment:

Provided that the Board may for a cause sufficient in its opinion remove from office with the previous approval of the Central Government any such member before the expiration of the said period of one year.

11. *Regional Officer*—

(1) The Board shall, with the previous approval of the Central Governmment, appoint a Regional Officer at each of the towns of Bombay, Calcutta and Madras, and may subject to like approval appoint an Assistant Regional Officer at all or any of these towns. Provided that the first appointments of Regional and Assistant Regional Officers shall be made by the Central Government.

(2) A Regional Officer and an Assistant Regional Officer shall receive such remuneration and shall be subject to such other conditions of service as the Board may, with the previous approval of the Central Government, from time to time, determine.

(3) A Regional Officer and an Assistant Regional Officer shall perform such duties as may be assigned to them by the Board or the Chairman.

12. *Duties of the Board.*—The Board shall, in addition to other duties prescribed under these rules :—

(i) submit an annual report to the Central Government reviewing the work done by the Board during the preceding financial year;

(ii) prescribe the manner in which the registers, records and accounts of the Board shall be kept;

(iii) review the work of, and issue directives to, Regional Officers and members of the Advisory Panels regarding the principles to be observed in determining whether a film is or is not suitable for public exhibition;

(iv) have its accounts audited annually, and submit duly to the Central Government the report of the auditors and take such action as may be required by Government to be taken on the report.

13. *Staff of the Board*—

(1) The Chairman shall, with the previous approval of the Central Government, appoint such officers and servants to the Board as he deems fit.

(2) The officers and servants of the Board appointed under sub-rule (1) shall receive such salaries and allowances and shall be subject to such conditions of service as the Chairman, with the previous approval of the Central Government, may from time to time, determine.

(3) The Chairman may suspend, remove or grant leave to any officer or servant of the Board appointed under this rule.

14. *Remuneration of the Chairman, and members of the Board and the Advisory Panel*—

(1) The Chairman shall receive such salary and allowances and shall be subject to such other conditions of service as are specified in the terms of his appointment.

(2) Every member of the Board other than the Chairman shall be paid such travelling and other allowances as the Central Government may, from time to time, determine.

(3) Every non-official member of the Board or an Advisory Panel deputed to examine or re-examine a 35 mm. film shall be paid a fee at the rate of Re. 1 per 1,000 feet or a fraction of fee 1,000 of the film examined or re-examined, subject to a minimum of Rs. 5 and a maximum of Rs. 10.

(4) Every such member deputed to examine or re-examine a 16 mm film shall be paid a fee at the rate of Re. 1 for 400 feet or a fraction of 400 feet examined or re-examined subject to a minimum of Rs. 5 and a maximum of Rs. 10.

15. *Meeting of the Board*—

(1) The Board shall ordinarily meet once a quarter for the transaction of business, but the Chairman may at any time call an extraordinary meeting if he considers it necessary to do so.

(2) Meetings of the Board shall ordinarily be held at Bombay but the Chairman may in his discretion call a meeting at Calcutta or Madras.

16. *Co-opted Members.*—The Chairman may co-opt any one or more of the Regional Officers as a member or as members of the Board for the purpose of attending a particular meeting of the Board, and such officer or officers shall then be entitled to participate in the deliberations of the Board at that meeting but shall not be entitled to vote.

17. *Notice of Meeting.*—

(1) At least 7 clear days' notice of all meetings of the Board shall be given to each member, but an urgent meeting may be called by the Chairman at 3 clear days' notice.

(2) The notice shall state the business to be transacted at the meeting and no business other than that stated shall be transacted at such meeting except with the consent of the Chairman or on his motion.

18. *Business ordinarily to be transacted at meetings.*—The business of the Board shall ordinarily be transacted at a meeting duly called in accordance with the provisions of these rules:

Provided that the Chairman may, if he thinks fit, circulate any urgent matter among the members for their opinion.

19. *Quorum.*—At every meeting of the Board 3 members if the Chairman be present, and 5 members if he be absent, shall form a quorum.

20. *President of the Meeting.*—Meetings of the Board shall be presided over by the Chairman or, in his absence by a member elected by the members present from among themselves.

21. *Question to be decided by majority of votes.*—Every question before the Board shall be decided by a majority of votes. In the case of equality of votes, the Chairman or the member elected to preside under rule 20, as the case may be, shall have a second or casting vote.

22. *Examination of Films*—

(1) Every application to certify a film for public exhibition shall be made in writing by the importer or producer of the film or an agent acting on behalf of the importer or producer in Form I set out in the schedule.

(2) The application shall be addressed to the Board and delivered to the Regional Officer at Bombay, Calcutta or Madras according as the film is a Bombay, Bengal or Madras film :

Provided that the Chairman may, in his discretion, permit applications in respect of any Bombay film or Bombay films to be delivered to the Regional Officer at Madras or Calcutta.

(3) Every such application shall be accompanied by.—

(*a*) the fee prescribed under rule 32, and

(*b*) four typed or printed copies of the synopsis of the film and of the full text of all songs if any.

23. *Extra copies of films before certification.*—Where, after an application under rule 22 has been made, any other copy or copies of the film in respect of which the application is made, are imported or printed, the applicant shall make a report in Form II of the Schedule to the appropriate Regional Officer stating the number of copies so imported or printed.

24. *Examining Committee*—

(1) On receipt of an application under rule 22, the Regional Officer shall appoint an Examining Committee to examine the film. The examination shall be made at such place and at such time as the Regional Officer may determine and at the expense of the applicant.

(2) The Examining Committee shall consist of at least two members of the Advisory Panel and the Regional Officer or the Assistant Regional Officer. If the Regional Officer or the Assistant Regional Officer is unavoidably unable to attend the examination of the film there shall be at least three members of the Advisory Panel on the Committee.

(3) Immediately after the examination of the film, the opinion of the members of the Examining Committee attending the examination shall be recorded in duplicate by the Regional Officer or Assistant Regional Officer, or in the absence of both, by a member of the Committee appointed by the Regional Officer for this purpose, stating, with regard to each member, whether he considers:

(*a*) that the film is or is not suitable for unrestricted public exhibition ; or

(*b*) that the film is or is not suitable for public exhibition restricted to adults ; or

(*c*) that the film will be suitable for unrestricted public exhibition, or public exhibition restricted to audults, as the case may be, if a specified portion or specified portions be deleted therefrom.

(4) One copy of the record prepared under sub-rule (3) shall be sent by the Regional Officer to the Chairman forthwith.

25. *Certification*.—On receipt of the record referred to in the preceding rule the Chairman shall, unless he proceeds under sub-rule (1) of rule 26, authorise the Regional Officer concerned to certify the film on behalf of the Board as being suitable for unrestricted public exhibition or for public exhibition restricted to adults only, as the case may be :

Provided that the Chairman may, with the previous approval of the Central Government, authorise any Regional Officer to certify, without obtaining his previous approval, any class or kind of film after the Examining Committee have examined and recommended such certification.

26. *Revising Committee*—

(1) On receipt of the record referred to in rule 24, the Chairman may, of his own motion or on the request of the applicant, refer it to a Revising Committee constituted by him for the purpose.

(2) The Revising Committee shall ordinarily consist of the Chairman, one other member of the Board, a Regional Officer and at least two members of the Advisory Panel.

(3) The Chairman, if present, shall preside at ezery meeting of the Revising Committee. If he be unable to attend, the member of the Board present shall preside. If both the Chairman and the member of the Board are unable to be present the Regional Officer shall preside.

(4) If the Chairman is absent, the number of members of the Advisory Panel sitting on the Revising Committee shall ordinarily be three; if both the Chairman and the member of the Board are absent, the number shall be four.

(5) No member of the Advisory Panel who has been a member of the Examining Committee for any film shall be a member of the Revising Committee in respect of the same film.

(6) The Revising Committee shall examine the film at such time and at such place as the Chairman may determine and, if the examination be at the request of the applicant, at the latter's expense.

(7) Immediately after the examination of the film by the Revising Committee, the opinion of the members attending the examination shall be recorded in duplicate stating with regard to each member the particulars specified in sub-rule (3) of rule 24.

(8) One copy of the record prepared under sub-rule (7) shall be sent to the Chairman forthwith.

(9) The decision of the Revising Committee shall be that of the majority of those attending the examination of the film. In the event of an equality of votes, the presiding officer shall have a second or casting vote.

(10) On receipt of the record under sub-rule (8) the Chairman shall issue a certificate in respect of the film in conformity with the recommendations of the Revising Committee.

27. *Issue of certificate subject to removal of positions of film*.—

(1) When the applicant is informed by a Regional Officer or the Chairman that a film will not be certified for unrestricted public exhibition or for

public exhibition restricted to adults, as the case may be, unless a specified portion or specified positions thereof be removed therefrom, the Regional Officer, with the approval of the Chairman, may issue a certificate certifying the film for unrestricted public exhibition or for public exhibition restricted to adults, as the case may be, if he is satisfied that the portion or portions thereof objected to have been deleted from the film and from all copies thereof in the applicant's possession. For the purpose of satisfying himself that the portion or portions objected to have been deleted the Regional Officer or Chairman may, at the expense of the applicant, himself examine the film, or cause it to be examined by one or more members of the Advisory Panel at such time and such place as he may determine.

(2) A certificate issued under sub-rule (1) shall be endorsed with a specification of the portion or portions required to be removed, and a statement of the exact length of each part or parts removed, and shall bear a clearly visible triangle drawn at the left hand bottom corner of the certificate:

Provided that nothing contained in this rule shall debar the Chairman from issuing a clear certificate, after the portions objected to have been removed, if the applicant makes a fresh application to have the film certified for public exhibition.

28. *Re-examination of certified films.*—

(1) In the case of a film which has been certified for public exhibition, if a representation is received from any member of the Board or any of its Advisory Panels, the representation shall be considered by the Board as soon as convenient. Any representation received from a member of the public or from any association or group of individuals shall be examined by the Chairman and, if he considers it desirable, shall be laid before the Board for consideration.

(2) If the Board considers that the film should be re-examined the Chairman shall appoint a Committee of the Board to re-examine the film, consisting of the Chairman and two members.

(3) The place, date and time of such re-examination shall be determined by the Chairman.

(4) The Chairman shall forward the opinion of the Committee to the Central Government who may pass such orders thereon as it deems fit.

29. *Alteration of film after issue of certificate.*—

When a film is altered by excision, addition or otherwise, after it has been certified under these rules, it shall not be exhibited unless it has been re-examined and a fresh certificate obtained in accordance with these rules.

30. *Extra copies of films after certification.*—

Where, after a film has been certified for public exhibition, any other copy or copies of it is or are imported or printed, the applicant shall make a report in Form V of the Schedule to the appropriate Regional Officer.

31. *Certificates.*—

(1) A certificate authorising the public exhibition of a film shall be in one of the forms III or IV set out in the Schedule according as the authorization is for unrestricted public exhibition or for public exhibition to adults only.

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(2) The certificate shall be signed for and on behalf of the Board by the Chairman or by a Regional Officer for the Chairman.

(3) The prescribed mark of the Board shall be a film copy of the certificate *i.e.*, a trailer certificate, not less than 15 ft. long, which shall be affixed to the film and always exhibited with it.

(4) A certificate of a film predominantly educational shall be in form VI.

32. *Fees.*—

(1) A fee shall be charged for the examination of every film at the rates laid down in the following table:—

TABLE OF FEES

Size of film	Length of film	Scale of fees
35 millimetre	(*a*) 2,000 feet or below	Rs. 5 per 1,000 feet or a fraction thereof.
	(*b*) Exceeding 2,000 feet	Rs. 40 per 1,000 feet or a fraction thereof.
16 millimetre	(*a*) 800 feet or below	Rs. 5 per 400 feet or a fraction thereof.
	(*b*) Exceeding 800 feet	Rs. 40 per 400 feet or a fraction thereof.

(2) Where the dialogue, songs or commentary of a film is in a language other than the appropriate language specified in clause (i) of Form I to the Schedule, a translation fee—

(*a*) in the case of a 35 millimetre film, at the rate of rupee one per 1,000 feet or fraction thereof; and

(*b*) in the case of a 16 millimetre film, at the rate of rupee one per 400 feet or fraction thereof,

shall, subject to a maximum fee of rupees ten and a minimum fee of rupees five, be charged in addition to the fee specified in sub-rule (1).

(3) The Board may remit the fee for examination of a film in the event of the application for a certificate being withdrawn before the film is examined.

33. *Power of entry.*—The Chairman or any member of the Board or an Advisory Panel or a Regional or an Assistant Regional Officer may enter any place licensed under the Act for the purpose of satisfying himself that the provisions of these rules are being carried out.

34. *Maintenance of Register.*—

(1) The Board shall maintain a register in which shall be entered—

(*a*) the name of every film examined under the Act;

(*b*) the name of the person applying for a certificate;

(*c*) the name of the person or company producing or releasing the film;

(*d*) the name of the country in which the film was originally produced;

(*e*) the name of the place where the film was examined;

(*f*) the date of the examination;

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(*g*) the names of the persons who examined the film;

(*h*) the result of the examination and of any further proceedings thereon;

(*i*) the number and date of the certificate issued, if any, together with a copy of any endorsement made thereon.

(2) For the purpose of enabling the Board to maintain such a register, the Regional Officers at Bombay, Calcutta and Madras shall each maintain similar registers in respect of applications for certification made to them and send to the Board a duplicate copy of every entry made in it, as soon as may be, after it has been made.

(3) A copy of the entries in the register maintained by the Board made during any month shall be sent to the Regional Officers at Bombay, Calcutta and Madras during the next following month.

35. Any rules made under the Act by a State Government shall, so far as they relate to the sanctioning of cinematograph films for exhibition, stand repealed:

Provided that:—

(*a*) any certificate granted, order made or action taken by any authority under the rules so repealed shall be deemed to have been granted, made or taken by the corresponding authority under these rules;

(*b*) any proceedings pending immediately before the commencement of these rules before any such authority shall stand transferred to the corresponding authority under these rules and shall be disposed of by that authority in accordance with the provisions of these rules.

SCHEDULE

FORM I

Form of application for certification of a film for public exhibition.

[*See* sub-rule (1) of rule 22]

To

The Central Board of Film Censors, through the
Regional Officer at *Calcutta/*Madras/*Bombay.

Application to certify for public exhibition a film.

*(i) imported into India at.....

*(ii) produced in India at.....

(*a*) Length of the film;

(*b*) Number of reels;

(*c*) *Nature of the film, *i.e.*

(i) Newsreel,

(ii) Documentary

(iii) Scientific,

(iv) Education,

(v) Feature.

(*d*) Name of the film :

(*e*) Number of copies—

(i) imported,

(ii) manufactured,

(iii) in the possession of the applicant.

(*f*) Name of the producer :

(*g*) Country in which produced :

(*h*) Has any previous application been made in India to certify this film for public exhibition ?

If so :

(i) where, and to whom was it made ?

(ii) what was the result of the application ?

(*i*) Does it contain dialogues, songs, poems or speeches—

(i) in the case of any imported film, in any language other than English.

(ii) in the case of a film produced in West Bengal, in any language other than Bengali, Hindi, Hindustani or Urdu ?

(iii) in the case of a film produced in Madras, in any language other than Tamil, Telugu, Kannada, Hindi, Hindustani or Urdu ?

(iv) in the case of a film produced in any other part of India, in any language other than Hindi, Hindustani, Urdu, Kannada, Gujarati or Marathi ?†

(*j*) Amount of fee accompanying the application on account of—

(i) the fee prescribed under sub-rule (1) of rule 32,

(ii) the fee prescribed under sub-rule (2) of rule 32.†

I declare that the film is predominantly an educational film and request that a certificate be issued to that effect to enable the applicant to obtain exemption from customs duty.

Name of the applicant.

I declare that the statements above recorded are true in every particular.

Date : ..... Signature of applicant.

*Score out the word or words which are not applicable.

†Note :—If the answer to any part of query (i) is in the affirmative, the application shall, in addition to the fee prescribed by sub-rule (1) of rule 32, be accompanied by the translation fee specified in sub-rule (2) of rule 32.

FORM II

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(*See* rule 23)

(To be submitted in duplicate)

Report under rule 23 of the Cinematograph (Censorship) Rules, 1951, regarding the importation/printing of extra copies of a film *before* certification.

Name of applicant :

Name of film :

Name of Producer :

Length of film :

Date of application for certification :

Number of copies imported/printed after the date of the application for certification.

To

The Regional Officer, Central Board of Film Censors, at Bombay/Calcutta/Madras.

I declare that the accompanying report is true in every respect and that the copies in respect of which this report is made are exact copies of the film therein referred to, and that no excisions, additions or alterations whatsoever have been made therein.

†I further declare that the film is an Educational Film and request that the copies now imported be certified as such to enable the applicant to obtain exemption from customs duty.

Date : Signature of applicant.

‡Certificate of the Central Board of Film Censors.

I....., Regional Officer, Central Board of Film Censors, at Calcutta/Bombay/Madras hereby certify that the film referred to in this report has been passed as a predominantly Educational Film.

Signature of Regional Officer.

‡Score out if not applicable.

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FORM III.

[*See* Sub-rule (1) of Rule 31.]

GOVERNMENT OF INDIA

CENTRAL BOARD OF FILM CENSORS.

This is to CERTIFY that the film entitled.....has been passed for UNRESTRICTED public exhibition within the territories of India to which the Cinematograph Act, 1918 extends.

APPLICANT.....
PRODUCED BY.....
LENGTH OF THE FILM.....ft.
NO. OF CERTIFICATE.....

U

Dated,....., the..... 195—. *Chairman,*

CENTRAL BOARD OF FILM CENSORS.

FORM IV.

[*See* Sub-rule (1) of Rule 31.]

GOVERNMENT OF INDIA

CENTRAL BOARD OF FILM CENSORS.

This is to CERTIFY that the film entitled.....has been passed for public exhibition restricted to ADULTS within the territories of India to which the Cinematograph Act, 1918 extends.

APPLICANT.....
PRODUCED BY.....
LENGTH OF THE FILM.....ft.
NO. OF CERTIFICATE.....

A

Dated,....., the..... 195 . *Chairman,*

CENTRAL BOARD OF FILM CENSORS.

FORM V.

(*See* Rule 30.) 204

(*To be submitted in duplicate.*)

Report under Rule 30 of the Cinematograph (Censorship) Rules 1951, regarding the importation/printing of extra copies of film *after* certification.

NAME OF APPLICANT.....
NAME OF FILM.....
NUMBER & DATE OF CERTIFICATE ISSUED.....
LENGTH OF FILM.....ft.

Number of copies imported/printed after the issue of the Certificate.

(*a*) before the present Report.....

(*b*) now.....

Signature of applicant

and date of application.

To

The Central Board of Film Censors, through the
Regional Officer, at Bombay/Calcutta/Madras.

I declare that the accompanying report is true in every respect and that the copies in respect of which this report is made are exact copies of the film as certified for public exhibition by the Board and that no excisions, additions or alterations whatsoever have been made therein.

*I further declare that the film is a predominantly Educational Film and, as such, was exempted from the payment of customs duty when imported.

Date :

Signature of applicant.

**Certificate of the Central Board of Film Censors.*

I..... Regional Officer, Central Board of Film Censors, at Calcutta/Bombay/Madras hereby certify that the film referred to in this report has been passed as a predominantly Educational Film.

Date :

Signature of Regional Officer.

*Score through if inapplicable.

205 FORM VI.

Certificate of a film being predominantly Educational.

[*See* Sub-rule (4) of Rule 31.]

GOVERNMENT OF INDIA

CENTRAL BOARD OF FILM CENSORS.

Certificate No..... of 19 .

This is to certify that the parcel containing the following films was delivered to Shri.....Regional Officer/Secretary, Central Board of Film Censors at Bombay/Calcutta/Madras who examined the, seals and identified that films according to the particulars verified at the time of the customs examination, and that the Board is satisfied that the films are of a predominantly educational nature and comply with the requirements for exemption from Customs Duty.

	Name of Film.	Name of Producer.	Length of Film.
1.			
2.			
3.			

Name of Importer

Date :

Signature of Regional Officer,

(No. 20/16/49-F).

C.B. RAO, Dy. Secy.